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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,318	01/21/2004	Tadanori Nakatsuka	00862.023406.	1545
5514 7590 09/04/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER WASHINGTON, JAMARES	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 09/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/760,318	Applicant(s) NAKATSUKA, TADANORI	
	Examiner Jamares Washington	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 5 and 7-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5 and 7-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's amendments and remarks received on August 13, 2007 have been entered. Claims 1-10 are currently pending with claims 2-4 and 6 having been canceled. Claims 1, 5, and 7-10 have been amended to further distinguish Applicant's invention. Applicant's amendments and arguments are addressed hereinbelow.

Specification

1. The amendment filed August 13, 2007 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

The abstract introduces an "enlargement/reduction ratio" and a "predetermined reduction ratio" which was not present in the original disclosure. There is no mention of "reduction" in the previously filed specification, which was based on magnification principles.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 5, and 7-10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The subject matter presented in the amended claims regarding (e.g. a enlargement/reduction ratio and a reduction ratio) the “enlargement/reduction ratio” and also “not applying the smoothing processing to the image data...if it is determined that the enlargement/reduction ratio of the document data to be displayed is less than the predetermined “reduction” ratio”. There is no mention of a “reduction ratio” in the original disclosure. The original disclosure only discloses a “display magnification” of the image data being equal to or exceeding a threshold value, and thus applying the smoothing processing accordingly (e.g. page 8 starting at line 21).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Izuru Horiuchi (US 5646741).

Regarding claim 1, Horiuchi discloses a document display method comprising:

a determination step of determining whether or not an enlargement/reduction ratio for document data to be displayed is equal to or greater than a predetermined ratio (Col. 1 lines 52-58);

an applying step of applying smoothing processing to image data based on the document data if it is determined that the enlargement/reduction ratio for the document data to be displayed is equal to or greater than the predetermined reduction ratio (Col. 7 lines 61-66), and not applying the smoothing processing to the image data based on the document data if it is determined that the enlargement/reduction ratio of the document data to be displayed is less than

the predetermined reduction ratio (Col. 6 lines 7-11; Col. 7 lines 55-60. Suggests when the enlargement reduction ratio is less than a predetermined value the detection rate is raised as explained in column 7 lines 45-55. If a dither/line-gathered area is detected, the selector selects the image data which has not been smoothed, thus no smoothing processing is done.

“...dither/line-gathered areas are not smoothed” at column 6 line 43. One would be more likely to detect a dither/line-gathered area as the enlargement/reduction ratio decreases.); and

a display step of displaying the image data to which the smoothing processing has been applied or the image data to which the smoothing processing has not been applied (Col. 8 lines 15-19).

Regarding claim 7, Horiuchi discloses the method according to claim 1, wherein said determination step further determines whether or not an area of a drawing object in the document is equal to or greater than a threshold value (Col. 5 lines 59-65), and

wherein said applying step applies the smoothing processing to the image data to be displayed if it is determined that the enlargement/reduction ratio is equal to or greater than the predetermined reduction ratio (as rejected in claim 1 above) and the area of the drawing object is equal to or greater than the threshold value (Col. 6 lines 12-18, Therefore, even though one of the logic values of the four solid line frames is “false” thus determining the central pixel in a line-gathered area (as explained in column 6 lines 3-6) which will prevent smoothing processing, smoothing is still done because the enlargement/reduction ratio being a predetermined value or higher allows the dither/line-gathered detector to only detect a dither area).

Regarding claim 8, Horiuchi discloses the method according to claim 1, wherein said determination step further compares an area of a drawing object being displayed in a displayable area with a first threshold value (see rejection of claim 7 and Col. 6 lines 3-6; “one of the logic values of the four...is false” – line gathered area) and a second threshold value (Col. 5 lines 62-65; “all values equal true” – dither area), and

wherein said applying step applies smoothing processing to the image data if it is determined that the enlargement/reduction ratio is equal to or greater than the predetermined reduction ratio and the area of the drawing object is equal to or greater than the first threshold value (see rejection of claim 7 above), or the enlargement/reduction ratio is less than the predetermined reduction ratio (see rejection of claim 1 above) and the area of the drawing object is equal to or greater than the second threshold value (Col. 5 lines 63-65; all values are false thus resulting in a dither area and not a dither/line-gathered area. Areas other than dither/line-gathered areas are smoothed).

Regarding claim 9, Horiuchi discloses a document display apparatus comprising:

determination means for determining whether or not an enlargement/reduction ratio for document data to be displayed is equal to or greater than a predetermined reduction ratio (“...judgment means for judging whether or not smoothing is to be performed on each pixel of the image data, in accordance with a feature of an area of the image data, including the pixel of interest, and a pre-set image enlargement/reduction ratio” at column 1 line 44);

means for applying smoothing processing to image data (“...smoothing means for smoothing input image data” at column 1 line 43) based on the document data if it is determined

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that the enlargement/reduction ratio for the document data to be displayed is equal to or greater than the predetermined reduction ratio (see rejection of claim 1), and not applying the smoothing processing to the image data based on the document data if it is determined that the enlargement/reduction ratio of the document data to be displayed is less than the predetermined reduction ratio (see rejection of claim 1); and

display means for displaying the image data on a display unit (Col. 8 lines 17-19) to which the smoothing processing has been applied or the image data to which the smoothing processing has not been applied (see rejection of claim 1).

Regarding claim 10, Horiuchi discloses a computer-readable recording medium on which a program for causing a document to be displayed by a computer has been recorded (Col. 8 lines 24-26), said program having:

program code for determining whether or not an enlargement/reduction ratio for document data to be displayed is equal to or greater than a predetermined reduction ratio (Col. 8 lines 24-26; see rejection of claim 1);

program code for applying smoothing processing to image data based on the document data if it is determined that the enlargement/reduction ratio for the document data to be displayed is equal to or greater than the predetermined reduction ratio, and not applying the smoothing processing to the image data based on the document data if it is determined that the enlargement/reduction ratio of the document data to be displayed is less than the predetermined reduction ratio (Col. 8 lines 24-26; see rejection of claim 1); and

program code for displaying the image data on a display unit to which the smoothing processing has been applied or the image data to which the smoothing processing has not been applied (Col. 8 lines 24-26; see rejection of claim 1).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Izuru Horiuchi (US 5646741) in view of Tetsuomi Tanaka (US 5715336)

Regarding claim 5, Horiuchi discloses the method according to claim 1.

Horiuchi fails to expressly disclose or suggest wherein the image data based on the document data contains a characters image.

Tanaka, in the same field of endeavor, teaches wherein the image data based on the document data contains characters image (“...character recognition method capable of preventing deterioration in the feature vectors resulting from normalization or smoothing” at column 2 lines 20-23).

It would have been obvious to one of ordinary skill in the art at the time the invention was made for the method of smoothing based on a predetermined enlargement/reduction ratio as

disclosed by Horiuchi to have the image data based on the document data containing characters as taught by Tanaka to fix the problem from an image enlargement reducing the diagonal components and increasing the vertical and horizontal components as the ratio of image enlargement becomes larger and an image reduction reducing the vertical and horizontal components and increasing the diagonal components, as the ratio of image reduction becomes larger when outputting characters.

Response to Arguments

8. Applicant's arguments with respect to claims 1, 9, and 10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamares Washington whose telephone number is (571) 270-1585. The examiner can normally be reached on Monday thru Friday: 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jamares Washington
Junior Examiner
Art Unit 2625

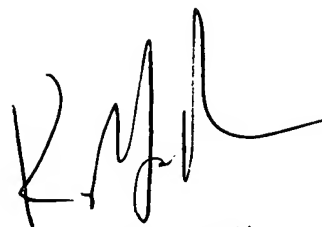

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August 29, 2007

A handwritten signature in black ink, appearing to read 'KYP', with a long horizontal flourish extending to the right.

KING Y. POON
SUPERVISORY PATENT EXAMINER